

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

BARBARA R. KAPLAN,

Plaintiff,

v.

DAVIDSON & GRANNUM, LLP,  
SANDRA D. GRANNUM & DAVID L.  
BECKER

Defendant.

Case No. 07C 6668

JUDGE MAROVICH

MAGISTRATE JUDGE SCHENKIER

**AMENDED NOTICE OF REMOVAL OF CAUSE**

To: Gregg M. Rzepczynski  
Gregg M. Rzepczynski & Associates Ltd.  
175 West Jackson Boulevard  
Suite 1650  
Chicago IL 60604

Defendants Davidson & Grannum, LLP, Sandra D. Grannum and David L. Becker (collectively "Grannum"), pursuant to 28 U.S.C. §1446 and the Local Rules of the United States District Court, Northern District of Illinois, and in conformance with this Court's Judgment Entry of June 17, 2008, notifies this Honorable Court that the above-entitled cause has been removed from the Circuit Court of Cook County, Illinois, Law Division, and in support of said notice states as follows:

1. The Summons and Complaint in this matter were served on Grannum on or about November 8, 2007. A true-and-accurate copy of the Summons and Complaint are attached hereto as **Exhibit "A."**

2. The Complaint, which seeks compensatory damages in excess of \$70,000,000 purports to state causes of action for legal malpractice, breach of contract, breach of fiduciary duty and breach of a specific New York State statute (New York State Judiciary Law Section

487). Grannum denies that they are liable to Plaintiff for any of the relief sought in the Complaint.

3. The parties are of diverse citizenship. Plaintiff is a resident of Cook County, Illinois and a citizen of Illinois.

4. Defendant Davidson & Grannum LLP is a limited liability partnership located in the States of New York and New Jersey. The only partners of Davidson & Grannum LLP are Sandra D. Grannum, a citizen of New York, and Joel E. Davidson, a citizen of New Jersey. Davidson & Grannum, LLP has had three additional partners at other times, and each of these individuals were residents of New York. *See* Affidavits of Sandra D. Grannum, Esq. (Exhibit B) and Joel E. Davidson, Esq. (Exhibit C).

5. As noted in Paragraph 4, Defendant Sandra D. Grannum is a citizen of New York.

6. Defendant David L. Becker is a citizen of the state of New York.

7. Plaintiff's Complaint specifies that she seeks in excess of \$75,000 in damages exclusive of interest and punitive damages.

8. This Court has original jurisdiction over this action under 28 U.S.C. §1332 and Plaintiff's Complaint is removable on its face. Defendant is, therefore, entitled to remove this action to this Court pursuant to 28 U.S.C. §§1331, 1332, and 1441. *See C.S. & V. Limited and J & C. Partnership v. W.E. Buehler Paper Co. d/b/a Bunzl-Cincinnati et al.*, 2002 U.S. Dist. LEXIS 19214 (S.D. Ind. Oct. 7, 2002) (Hamilton, J.).

9. In compliance with 28 U.S.C. §1446(b), this Notice of Removal is filed with this Court within thirty (30) days after receipt of a copy of the initial pleading setting forth the claim for relief upon which this action or proceeding is based and within thirty (30) days after service of summons.

WHEREFORE, Defendants Davidson & Grannum, LLP, Sandra D. Grannum and David L. Becker notifies the Court and all parties that this cause has been removed from the Circuit Court of Cook County, Illinois, Law Division, to the United States District Court for the Northern District of Illinois, Eastern Division, pursuant to the provisions of 28 U.S.C. §1446 and the Local Rules of the United States District Court for the Northern District of Illinois.

Respectfully submitted,

DAVIDSON & GRANNUM, LLP;  
SANDRA D. GRANNUM AND  
DAVID L. BECKER

By: s/Geoffrey A. Belzer  
One of their attorneys

Daniel E. Tranen  
Geoffrey A. Belzer  
WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP  
120 North LaSalle Street, Suite 2600  
Chicago, IL 60602  
Telephone: (312) 704-0550  
Facsimile: (312) 704-1522

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that a true and correct copy of the above and foregoing pleading was filed electronically on this 30 day of June, 2008 and a copy of same was served upon:

**Attorney for Plaintiff**  
Gregg M. Rzepczynski  
Gregg M. Rzepczynski & Associates Ltd.  
175 West Jackson Boulevard  
Suite 1650  
Chicago IL 60604

by: ☐ hand-delivery; ☐ facsimile; ☐ overnight mail, next day delivery; and/or ☒ depositing same in the US Mail at or before the hour of 5:00 p.m. this 30<sup>th</sup> day of June, 2008.

/s/ Geoffrey A. Belzer  
Daniel E. Tranen  
Geoffrey A. Belzer